

REMARKS

A. Status of the Claims

Claims 1-83, 86 and 93 have been canceled and new claim 109 has been added. Thus, claims 84-85, 87-92 and 94-109 are currently pending and under examination. Support for new claim 109 can be found at least in table 6 on page 30 and on page 5, lines 10-20 of the application. No new matter has been added.

B. Response to Requirement for Election of Species

In an Office Action dated June 27, 2008 the Examiner issued a requirement for a further species election beyond the originally elected species of substrate peptides having a sequence from P₂P₁-P₁·P₂· of NF-AV. In the Office Action the Examiner suggested election of one of the sequences from claim 108. However, Applicants note that the sequences provided in claim 108 (SEQ ID NOs: 7, 46 and 47) do not read on the original elected species of substrate peptides having a sequence of NF-AV at positions P₂P₁-P₁·P₂·.

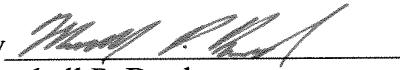
Furthermore, Applicants respectfully traverse and point out that the addition of claim 108 does not impose a search burden upon the Examiner. That is, no burden is imposed because all claims in the case that concern previously elected substrate peptides have already been examined. Nonetheless, in the interest of fully responding to the instant requirement for election of species, Applicants respectfully elect examination of claims concerning substrate peptides wherein P₃ is V and P₃· is E (*see e.g.*, claims 87 and 89), without prejudice to the inclusion of the non-elected subject matter in any later filed application(s). Applicants note that the instant claims concern assays with substrate peptides comprising at least 6 amino acids and that Applicants have now elected examination of claims which concern peptides wherein each of the six positions (*i.e.*, P₃P₂P₁-P₁·P₂·P₃·) has been defined. Thus, claims 84-85, 87-92, 94-107 and new claim 109 concern peptide substrates having a sequence consistent with the current election (*i.e.*, VNF-AVE at the P₃P₂P₁-P₁·P₂·P₃· positions). Applicants request consideration of claims concerning non-elected species (*i.e.*, claim 108) upon an indication that a generic claim is allowable. In view of this further election, Applicants respectfully request examination and allowance of the claims.

C. Conclusion

In view of the foregoing amendment and remarks, Applicants respectfully submit that each of claims 84-85, 87-92 and 94-109 is in condition for allowance. Favorable examination and allowance of these claims is respectfully requested at the earliest possible date. The Examiner is invited to contact the undersigned at the number provided with any questions.

Dated: July 28, 2008

Respectfully submitted,

By 
Marshall P. Byrd
Registration No.: 62,454
MARSHALL, GERSTEIN & BORUN LLP
233 S. Wacker Drive, Suite 6300
Sears Tower
Chicago, Illinois 60606-6357
(312) 474-6300
Agent for Applicants